

# PATENT COOPERATION TREATY

REC'D 25 JUL 2005

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From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY  
(PCT Rule 43bis.1)

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
PCT/IB2005/050192

International filing date (day/month/year)  
17.01.2005

Priority date (day/month/year)  
20.01.2004

International Patent Classification (IPC) or both national classification and IPC  
G06F1/00

Applicant  
KONINKLIJKE PHILIPS ELECTRONICS, N.V.

**1. This opinion contains indications relating to the following items:**

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

**2. FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

**3. For further details, see notes to Form PCT/ISA/220.**

Name and mailing address of the ISA:



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Tel. +49 89 2399 - 0 Tx: 523656 epmu d  
Fax: +49 89 2399 - 4465

Authorized Officer

Bichler, M

Telephone No. +49 89 2399-6073



**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/IB2005/050192

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**Box No. I Basis of the opinion**

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1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
  - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:
    - ☐ a sequence listing
    - ☐ table(s) related to the sequence listing
  - b. format of material:
    - ☐ in written format
    - ☐ in computer readable form
  - c. time of filing/furnishing:
    - ☐ contained in the international application as filed.
    - ☐ filed together with the international application in computer readable form.
    - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE  
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International application No.  
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**Box No. V Reasoned statement under Rule 43b/s.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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**1. Statement**

Novelty (N)	Yes: Claims	4-6,11-13, 18-20
	No: Claims	1-3,7-10,14-17
Inventive step (IS)	Yes: Claims	
	No: Claims	1-20
Industrial applicability (IA)	Yes: Claims	1-20
	No: Claims	

**2. Citations and explanations**

**see separate sheet**

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING  
AUTHORITY (SEPARATE SHEET)**

International application No.

**PCT/IB2005/050192**

**Re Item V.**

- 1 Reference is made to the following documents:  
D1 : US 6 208 746 B1 (MUSGRAVE CLYDE) 27 March 2001 (2001-03-27)  
D2 : WO 00/39953 A (KENT RIDGE DIGITAL LABS; WU, JIANKANG; SUN, QIBIN;  
DENG, HUIJIE, ROBER) 6 July 2000 (2000-07-06)
- 2 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of independent claims 1, 8 and 15 is not new in the sense of Article 33(2) PCT.
  - 2.1 Document D1 discloses the features of independent claim 1 as follows:  
A method for restricting access to content [column 2, lines 23-27, "...prevent unauthorized users from extracting the electronic data"], comprising the steps of: embedding a biometric watermark in said content [column 2, lines 48-51, "...by inserting biometric watermarks electronically into electronic data"]; and providing access to a user of said content if a biometric sample of said user matches said embedded biometric watermark [column 4, lines 60-65, "...only the true buyer with the corresponding biometric characteristics is capable of accurately decoding the information received from the on-line software vendor"].
  - 2.2 Independent claims 8 and 15 substantially correspond to independent claim 1. The lack of novelty objection raised in point 2.1 herein-above therefore equally applies to these claims.
- 3 Dependent claims 2-7, 9-10 and 16-20 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step, see documents D1 and D2 and the corresponding passages cited in the search report.

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